

REMARKS

In view of the above amendments and following remarks, Applicant requests favorable reconsideration of the above-identified application.

Claims 17-31 are now pending in this application, with Claim 17 being independent. By this Amendment, Applicant has canceled Claims 1-16, and added new Claim 17-31. No new matter has been added.

Applicant affirms the provisional election made with traverse to prosecute the invention of Species II, directed to Figure 7 and Claims 1-12 and 14-16. New Claims 17-31 are also directed to Species II.

Claims 5 and 12 have been objected to for minor informalities therein and Claim 16 has been rejected under 35 U.S.C. §§ 101 and 112. In response, while not conceding the propriety of the objections and rejections, these claims have been canceled without prejudice, thereby obviating the objections and rejections. Therefore, withdrawal of the objections and rejections is respectfully solicited.

Claims 1-8, 14, and 15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0169520 (Goldstein). Claims 9 and 10 stand rejected under 35 U.S.C. § 103 as being unpatentable over Goldstein in view of U.S. Patent No. 6,118,527 (Jurca). Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Goldstein in view of U.S. Patent No. 4,844,603 (Eitel, et al.). Claim 12 stands rejected under 35 U.S.C. § 103 as being unpatentable over Goldstein in view of U.S. Patent Publication No. 2001/0048514 (Taniguchi).

In response, while not conceding the propriety of the rejections, Claims 1-16 have been canceled without prejudice and new Claims 17-31 have been added. Applicant submits that as amended, independent Claim 17 is allowable for the following reasons.

Independent Claim 17 relates to an apparatus comprising a mirror having a reflection surface that reflects light, a heat-radiation plate arranged opposite and spaced away from the reflection surface of the mirror and outside a passage area for the light to be incident on and reflected from the reflection surface, and a cooling mechanism configured to cool the heat-radiation plate.

By arranging a heat-radiation plate opposite and spaced away from the reflection surface of the mirror and outside a passage area for the light to be incident on and reflected from the reflection surface, the accuracy of the surface form of the mirror reflection surface can be efficiently maintained.

In contrast, the publication to Goldstein is not understood to disclose or suggest a heat-radiation plate arranged opposite and spaced away from the reflection surface of the mirror and outside a passage area for the light to be incident on and reflected from the reflection surface, as recited by Claim 17. Rather, as shown in Figure 2 and as discussed in paragraph [0018], the cooling/heating elements 225, which the Office Action states correspond to the claimed radiation plate, are “on the rear surface 104 of the mirror”.

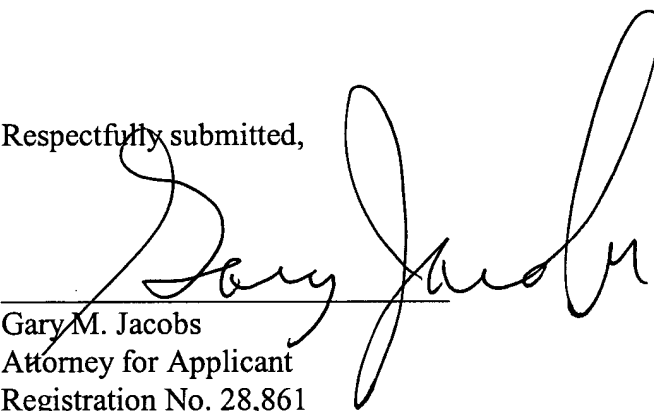
For this reason, the Goldstein publication is not understood to anticipate Claim 17. Therefore, Applicant respectfully requests that Claim 17 be allowed.

The dependent claims are allowable for the reasons given for independent Claim 17 and because they recite features that are patentable in their own right. Individual consideration of the dependent claims is respectfully solicited.

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Gary M. Jacobs
Attorney for Applicant
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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